IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2309 OF 2006

In

APPEAL (L) NO.100 OF 2006

In

ARBITRATION PETITION NO.245 OF 2005

M/s.Shah Manikchand Gangaram : Appellant

V/s.

Indian Oil Corporation Ltd. : Respondent

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Ms Seema Singh i/b. Dr.M.Shah Alam Khan for the appellant.

Mr.Chirag Modi i/b. M/s.RMG Law Associates for the respondent.

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CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATE : DECEMBER 13, 2006.

P.C.

We heard the counsel for the parties.

2. For the reasons stated in para 3 of the affidavit-in-support of the Notice of Motion, we are satisfied that the appellant was prevented by sufficient cause in filing the appeal in time.

3. The delay of 40 days is sufficiently explained.

4. We, accordingly, condone the delay in filing the appeal.

5. Office is directed to process the appeal and post it for admission as soon as it is numbered.

6. Notice of Motion stands disposed of.

R.M. LODHA, J.

S.A. BOBDE, J.